

## Department of Energy

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JUN 1 11 31 AM '94

MAY 31 1994

DOE  
ROCKY FLATS  
CORRESPONDENCE

94-DOE-03602



## ACTION

| DIST.             | LTR | ENC |
|-------------------|-----|-----|
| BERMAN, H.S.      |     |     |
| CARNIVAL, G.J.    |     |     |
| COPP, R.D.        |     |     |
| CORDOVA, R.C.     |     |     |
| DAVIS, J.G.       |     |     |
| FERRERA, D.W.     |     |     |
| FRANZ, W.A.       |     |     |
| HANNI, B.J.       |     |     |
| HEALY, T.J.       |     |     |
| HEDAH, T.G.       |     |     |
| HILBIG, J.G.      |     |     |
| HUTCHINS, N.M.    |     |     |
| KELL, R.E.        |     |     |
| KIRBY, W.A.       |     |     |
| KUESTER, A.W.     |     |     |
| MAHAFFEY, J.W.    |     |     |
| MANN, H.P.        |     |     |
| MARX, G.E.        |     |     |
| MCKENNA, F.G.     |     |     |
| MORGAN, R.V.      |     |     |
| PIZZUTO, V.M.     |     |     |
| POTTER, G.L.      |     |     |
| SANDLIN, N.B.     |     |     |
| SATTERWHITE, D.G. |     |     |
| SCHUBERT, A.L.    |     |     |
| SETLOCK, G.H.     |     |     |
| STIGER, S.G.      | X   |     |
| SULLIVAN, M.T.    |     |     |
| SWANSON, E.R.     |     |     |
| WILKINSON, R.B.   |     |     |
| WILSON, J.M.      |     |     |
| Peterman, B.      | X   |     |
| Busby, W.         | X   |     |

Mr. Gary Baughman  
Hazardous Waste Facilities Unit Leader  
Colorado Department of Health  
4300 Cherry Creek Drive South  
Denver, Colorado 80222-1530

Dear Mr. Baughman:

We are requesting a modification to work under Part 32 of the Rocky Flats Plant (RFP) Interagency Agreement (IA) for the Operable Unit (OU) 10 Draft and Final Phase I RCRA Facility Investigation/Remedial Investigation (RFI/RI) Report. We believe the modification to work is warranted to better accomplish the objectives of the IA as described below. In addition we are requesting an extension under Part 42 of the IA for the Table six milestones dates of the Draft and Final Phase I RFI/RI Reports for OU 10. The good cause for the extension is based on agreement for the modification to work.

The modification to work is necessary for two primary reasons. The first reason is to address the portion of OU 10 which is not accessible due to current facility operations. These impacts with operating facilities were identified in the initial Draft Phase I RFI/RI Workplan for OU 10 dated November 1991. The impacts were reiterated in the Final Phase I RFI/RI Workplan for OU 10 submitted to you in July 1992, and approved by your letter dated August 10, 1992. A substantial portion of the Workplan physically cannot be completed until operational use of certain buildings, tanks, and waste lines are completed. Additionally some Individual Hazardous Substance Sites (IHSS) within OU 10 remain active storage sites. Delays in characterization of these areas was previously discussed with the regulatory agencies. The specific issues regard storage of materials on IHSSs 213 and 214. These issues were discussed in correspondence from the Department of Energy (DOE) to the regulatory agencies on May 20, 1993. This letter was in response to the correspondence of September 15, 1992 from Environmental Protection Agency and of December 18, 1992 from Colorado Department of Health in which these issues were discussed.

The second reason is based on the change in mission of the RFP and the resulting change in operational projections for facilities in the Industrial Area. It is clear that many facilities operations will be modified based on the change in mission. It is our shared responsibility to address the potential change in priorities for remediation work in the Industrial Area which is afforded by this change in mission. The DOE has taken several actions to address the mission change:

- 1) An Interim Measure/Interim Remedial Action for the Protected Area of RFP began development in early 1992 and preliminary versions of the plan were shared with regulatory agencies. Based on regulator comment and RFP Transition Plans the planning has expanded to include the entire Industrial Area. A draft was submitted for your review on March 18, 1994.

Reviewed for Addressee  
Corres. Control RFP4/1/94 CM  
DATE BY

Ref Ltr. #

DOE ORDER # 5400.3

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2) A strategic initiative to look at methods of streamlining environmental restoration actions was begun in the summer of 1993. With regulator involvement and input these working meetings resulted in a Strategic Planning Initiative, Review Implementation Team (SPIRIT) to attempt to restructure the current IA protocols for early actions where warranted and better overall performance. A specific outcome of this effort was an Evaluation of Individual Hazardous Substance Sites for the Industrial Area Operable Units sent to you February 10, 1994.

3) Meetings have begun between the DOE and regulators concerning a renegotiation of the IA. Much of the driving force behind the renegotiations center around the Industrial Area priorities. It was the DOE's intent that many of the Industrial Area issues be resolved through the renegotiation process, however delays in that process require that these issues be addressed through Part 32 and Part 42 of the existing IA.

We believe the scope and priority of work for OU 10 should be discussed and agreed upon before schedules are revised. However, we acknowledge that the issues are complex and should be resolved through discussion among all parties. In general we propose to modify the work consistent with the SPIRIT document and current renegotiation principles. We request you agree to this approach to modification and meet with us to finalize the details. After the scope of the work is modified we propose to prepare schedules for approval to adjust existing Table 6 milestones for the Draft and Final RFI/RI Report. Other downstream milestones may also be affected by the outcome of the work modification. We will provide those schedules for approval two weeks after the modification to work is resolved.

An alternate approach would be to allow an open extension to the milestone dates and allow the OU 10 issues to be addressed through the renegotiation process. The DOE is open to this approach as long as the renegotiation process continues to make progress toward resolution. Under either scenario the DOE requests a meeting be convened as soon as possible so that we may assist you in making your determinations.

Sincerely,



Jessie Roberson  
Acting Assistant Manager for  
Environmental Restoration

G. Baughman  
94-DOE-03602

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cc:

A. Rampertaap, EM-453  
M. Siliverman, OOM, RFFO  
L. Smith, OOM, RFFO  
M. McBride, ER, RFFO  
S. Slaten, ER, RFFO  
F. Lockhart, ER, RFFO  
S. Stiger, EG&G  
B. Peterman, EG&G  
W. Busby, EG&G  
M. Hestmark, EPA